

**BEFORE THE ZONING BOARD OF APPEALS  
AURORA, ILLINOIS**

Kim Frachey, Nancy Maloney,	)	
<i>et al.</i> , and Fox Valley Families	)	
Against Planned Parenthood,	)	
	)	
Appellants,	)	
	)	07 ZBA 001
vs.	)	
	)	
City of Aurora,	)	
A Municipal Corporation,	)	
	)	
Appellee.	)	

**APPELLANTS' REPLY IN SUPPORT OF MOTION TO DECLARE BACK-DATED TEMPORARY CERTIFICATE OF OCCUPANCY INVALID, NULL AND VOID UNDER AURORA'S ZONING ORDINANCE, ITS ZONING BOARD OF APPEALS' RULES AND REGULATIONS, AND OTHER ILLINOIS LAW**

Now come Kim Frachey, Nancy Maloney, Socorro Nieto, Chad and Natalie Fiolo, and Fox Valley Families Against Planned Parenthood (hereinafter "Appellants"), by their undersigned counsel, and for this Reply in Support of their Motion that the Board of Appeals Declare the Back-Dated Certificate of Occupancy Invalid, Null and Void, they submit the following:

**Introduction**

The City's own permit applications show that zoning decisions and determinations are required in the issuance of Building Permits and Certificates of Occupancy. (Exhibit A, COMN Commercial New Construction Permit Application, pp 1, 6, 7; Exhibit B, COMR Commercial Remodel / Tenant Improvement Permit Application, pp 1, 5) These zoning decisions and determinations, which provide the foundation for any further issuance of Certificates of Occupancy, have been appealed from in this matter. The clear language of the applicable ZBA Rule and the applicable Illinois statute provide an automatic stay of "*all* proceedings in furtherance of the action appealed from," without the stay being restricted to any particular City official. (ZBA Rules and Regulations, pg 5; 65 ILCS 5/11-13-12) Therefore, the Certificate of Occupancy issued on or about December 14, 2007, was in clear violation of law and must be declared invalid, null and void.

Moreover, the City's permit application forms indicate that whenever a general "White Envelope" new construction application is approved for issuance of a permit, such an application cannot alone support issuance of a Certificate of Occupancy when a tenant is later identified. A separate and subsequent application must be filed before Certificates

of Occupancy may issue for specific tenants moving into a "White Envelope" property. The process delineated on the face of Aurora's own permit application shows that before a Certificate of Occupancy may issue for the occupancy – and intended land use – of the specific tenant, a distinct and different zoning determination and decision must be made. This must necessarily differ from the earlier zoning determinations and decisions made to grant a Building Permit for any general "White Envelope" development. In this case, the zoning decisions and determinations to grant Certificates of Occupancy for the specific tenant occupying the subject property—Planned Parenthood—as opposed to the general "White Envelope" Building Permit to developer Gemini Office Development—were made on October 1, 2007. Those decisions and determinations have been properly and timely appealed in this matter. This Board must not abdicate its duty to decide this appeal on its merits.

**I. Gemini Applied for, and the City Issued, a "White Envelope" Building Permit for the Subject Property That Would Not Result in a Certificate of Occupancy for its Tenant—a New Permit Was Required for Planned Parenthood's Occupancy.**

The Building Permit for this property was issued as an "Envelope permit." (Exhibit C, Building Permit, "Special Notes and Comments") According to the City's COMN Commercial New Construction Permit Application, "No Cert. of Occupancy issued if White Envelope". (Exhibit A, COMN Commercial New Construction Permit Application, pg 6) According to the New Construction (COMN) Application Form, the City requires a later-identified tenant to file a COMR Application to occupy a "White Envelope" space. (Exhibit A, COMN Commercial New Construction Permit Application, pg 6)

Gemini's false statements to the Planning & Development Committee and its five falsified permit applications were calculated to make this facility look like any other "White Envelope" facility. (Planning & Development Committee Meeting Transcript, November 16, 2007, Bates 765; Permit Applications, Bates 734-762) The City claims that it took Gemini at its word—before the recent zoning review, City staff treated this property as any other "White Envelope" development, listing Gemini as the "Tenant" on the Building Permit and in dealings with contractors and Gemini itself. (Exhibit D, Fax Cover Sheets for City Communications to "Tenant" Gemini Office)

Moreover, the first submission by the Applicant to the Buildings and Permits Division revealing that Planned Parenthood would be the tenant only occurred on August 20, 2007. The Applicant submitted an Alarm Permit Application attachment that day, indicating that the "Building Owner" was "Planned Parenthood Chicago Area." (Exhibit E, Alarm Permit Attachment, August 20, 2007)

Within days of the August 20, 2007, Alarm Permit attachment submission, the City publicly declared that it was commencing its zoning review, forbidding occupancy of the property until the review was complete. In its review, City officials and experts examined the entire process of development, in view of the discovery that Gemini had not really intended a "White Envelope" facility to be occupied by medical office tenants

with whom it would negotiate leases at arms' length, but rather that it was building a "Complete Project" with a particular, specific, preplanned tax-exempt use by its own affiliate (its parent).

Indeed, Planned Parenthood and Gemini told the Illinois Finance Authority (which approved \$8.05 million in tax-exempt bonds!) that the essence of this project was that it was charitable and tax-exempt and that the involvement of taxable entities such as Gemini should be disregarded. (Exhibit F1, 26 USC §501(c)(3); Exhibit F2, 26 USC §145; Exhibit F3, Exhibit Planned Parenthood Not-For-Profit Bond Application; Exhibit F4, Illinois Finance Authority Official Statement – Planned Parenthood/Chicago Area Project; Exhibit F5, Affidavit of Steven Trombley, Exhibit 3, Loan Agreement, pg 7) But, such a tax-exempt land use—which \$7,500,000 facility will strip almost \$2,000,000 in tax revenue from Aurora and other government entities over the next 10 years—is barred from the “B-B” zoning district that the City now concedes to encompass the subject property. (Exhibit G, Naperville Township Assessor Detail for Parcel 07-20-302-081; Exhibit H, Federal Court Filings by Planned Parenthood in Planned Parenthood v. Aurora, 07 CV 5181) Aurora’s AZO purports to prohibit the erection of any building whose plans or intended use violate its provisions. (AZO 3.2-5.1, 3.2-6.1, 8.6-4.4, 10.2-1) Moreover, while concern over legal action by Planned Parenthood may have colored City officials' actions in this matter, performance of abortions does not exempt Planned Parenthood from the requirements of the Zoning Ordinance. (Exhibit I, Emails between Ald. Chris Beykirch & Carie Ergo, Exhibit J, Federal Court Filings by Amicus Curiae in Planned Parenthood v. Aurora, 07 CV 5181)

## **II. Aurora’s Issuance of Certificates of Occupancy for Planned Parenthood Required New Zoning Determinations and Decisions—Later and Separate from the Zoning Determinations and Decisions for the "White Envelope" Building Permit.**

As noted above, according to the new construction COMN Application Form, the City requires a tenant to file a separate COMR Application to occupy a "White Envelope" space. (Exhibit A, COMN Commercial New Construction Permit Application, pg 6) The COMR Application Form in turn requires a new zoning review prior to issuance of a permit. (Exhibit B, COMR Commercial Remodel / Tenant Improvement Permit Application, pg 5) The COMR Application Form also requires an applicant to "(check one)" "Zoning Classification" and identify a specific "TENANT." (Exhibit B, COMR Commercial Remodel / Tenant Improvement Permit Application, pg 1).

The COMR Application as well as simple common sense show that the zoning approval necessary for issuance of Certificates of Occupancy for Planned Parenthood could not have occurred in October 2006, prior to the identification of a tenant and the specific planned land use for the subject property—and prior to making the required application for Certificates of Occupancy. A distinct zoning determination was then necessarily required—even apart from Gemini’s and Planned Parenthood's protracted series of deceptions as to their preplanned, intended land use—in order to grant any Certificates of Occupancy for this *specific* tenant with its intended charitable, non-pecuniary and tax-exempt land use moving into this *general* "White Envelope"

construction. The October 1, 2007, requirement that Planned Parenthood restrict its land use to refrain from "major surgery" only underscores and confirms that the City made new and distinct zoning determinations and decisions long after October, 2006. No matter whether the tenant was to be Planned Parenthood, a medical group of open-heart surgeons, a dental group, a pharmacy, or a pizza parlor, a new and separate determination that zoning was lawful and appropriate for their specific intended land use would have been necessary prior to issuing Certificates of Occupancy to such tenant(s).

Finally, when the Certificates of Occupancy were actually issued on October 1, 2007, the reasons given were zoning-related—for the first time in the development process, the purported land use of the facility by Planned Parenthood was supposedly evaluated against the legal norms and requirements of Aurora's Zoning Ordinance. On October 1, 2007, Hon. Thomas Weisner, Mayor of Aurora, stated that:

...while a medical clinic is a permitted use for that property, medical clinics are excluded from performing major surgeries under the City of Aurora's zoning definitions. Based on a review of this finding, the city has contacted Planned Parenthood for clear written assurance that only minor surgeries as defined by the Luetkehans report would be performed at this facility.

...the City of Aurora has no legal basis to deny Planned Parenthood an occupancy certificate and thus the Building and Permits Division will move forward with issuing Planned Parenthood an occupancy certificate. (Exhibit K, Mayor's Statement, 10/1/07, Mayor's Statements, 9/20/07 & 9/18/07, Carie Ergo Statement, 9/20/07)

Thus whenever a specific tenant and occupant for any "White Envelope" building project is determined, it is then that a new zoning determination must be made. Here, that zoning determination was made on October 1, 2007, and it has been lawfully and properly appealed here so that this Zoning Board of Appeals must pass on its merits.

### **III. The Issuance of a "White Envelope" Building Permit Itself Required Zoning Determinations and Decisions That Are Properly and Timely Appealed Here.**

Moreover, the "map" of the process for securing a Building Permit via a COMN Permit Application indicates several points at which zoning determinations and decisions are required steps on any applicant's path toward securing issuance of a new Building Permit. (Exhibit A, COMN Commercial New Construction Permit Application, pg 7; AZO 3.2-6.1, 10.2-1) The first step in the process requires that "Applicant obtains City of Aurora Planning Department approval and Plan Commission/Planning & Development Committee approvals as required by Planning." Several steps later, "1 site plan, Final Plan, Landscape Plan, LOC & Signed Contract" are reviewed in the decision step "Zoning – Use review and approval in existing zoning." If the zoning determination is "Unapproved use," then the Applicant must resubmit its materials to correct the planned use to show that it is a permitted use. If a determination of approval is made, the process

continues, resulting ultimately at the end of the permit approval process – as shown on the process map – in issuance of a Building Permit.

As Appellants have pointed out previously, however, because the zoning decisions and determinations in this case culminated in issuance of a Building Permit, the ZBA Rules and Regulations required proof—which still has not been provided in this matter—that the Building Permit was posted "in a conspicuous location on the premises involved, at a location where it is obviously visible to persons residing in the neighborhood and to persons lawfully using the nearest right-of-way to said property." Such posting was required before the period for filing a notice of appeal to this Zoning Board of Appeals would have been triggered. (ZBA Rules and Regulations, part (b), pg 3; cf., Response to Amended Motion to Dismiss, pg 5)

Further, even if publication of the Building Permit had been proven here, the Building Permit in this case was fatally insufficient to provide notice sufficient to trigger the running of the period allowed for appeal of the numerous zoning violations on the subject property. Here, the Building Permit could not have provided notice to trigger running of the appeal period for the following reasons:

1) the permit purportedly approved a host of zoning violations that required variances—improper setback, parking space width, backup space, and number of parking spaces—without the notice and hearing to neighboring landowners required by ordinance and state law;

2) the permit purportedly approved a facility did not match the facility actually being constructed—listing tenant "Gemini" instead of "Planned Parenthood" and "Envelope permit" instead of "Complete Project";

3) the permit purportedly approved a facility intended for uses of the property that required zoning amendment and/or special use permit—a not-for-pecuniary-profit health-related facility and/or a not-for-pecuniary-profit charitable organization—without the notice and hearing to neighboring landowners required by ordinance and state law;

4) the permit purportedly approved the development without receiving City Council approval for a proper Preliminary Plan, approval that the Appellants had no reason to suspect that Gemini had not obtained; and

5) the permit purportedly approved the development without a City Council approval for extension of Final Plan submission deadlines, approval that the Appellants had no reason to suspect that Gemini had not obtained.

For all of the above reasons, the Building Permit in this matter did not start the running of the period for filing a notice of appeal as provided by ZBA Rule. Thus the Appellants' notice of appeal in this matter was also sufficient and timely to place the merits of the October 2006 zoning determinations and decisions squarely before this Zoning Board of Appeals. This Board should address and adjudicate those merits.



#### **IV. Aurora's Zoning Review of the Subject Property Was Not an Unreviewable "Legislative Act" Act of the City Council But a Reviewable Administrative Act.**

The City has repeatedly asserted, without supporting evidence, that the zoning review that concluded on October 1, 2007, was performed under the legislative authority entrusted to Aurora's City Council, rather than administrative authority of the Zoning Administrator as exercised by the Mayor, no doubt in consultation with Aurora's Zoning Administrator as well as its Outside Experts. (Response to Motion to Invalidate TCOs, pp 1-2; Exhibit L, Federal Court Filings by Aurora in Planned Parenthood v. Aurora, 07 CV 5181)

Under the Municipal Code, the City Council could have reviewed the development process, but the fact of the matter is that the City's aldermen were shut out of the review—even despite promises to involve them. (Exhibit M, Memos from Mayor to Aldermen, 8/30/07 & 8/31/07) No resolutions, ordinances, or motions were passed authorizing the start or finish of the supposed City Council review. Moreover, the purported 'expert' reports of Messrs. Martens and Leutkehans were withheld from City aldermen until approximately one-half hour prior to the Mayor's announcement of the decisions, determinations, and conclusions of the review at a closed press conference—the same City aldermen received the reports *after* Planned Parenthood was told that it would open the next morning! City officials made clear to aldermen during the review that the final decision was the Administration's, not the Council's. (Exhibit N, Email of Carrie Anne Ergo, 8/28/07)

This was an administrative zoning review, initiated and concluded by the Mayor acting in his executive, administrative capacity. Many different administrative officials, including the Zoning Administrator, were clearly and necessarily involved in the review. (Exhibit O, Emails by City Staff Reviewing Development Process) And, because the Building Permit only authorized "White Envelope" construction for **Gemini Office Development**, this zoning review was a necessary and integral part of the entire permit approval process for issuance of a Certificate of Occupancy to **Planned Parenthood**.

#### **V. Since the October 1, 2007, Zoning Determinations and Decisions Were Indispensably Required for Issuance of Certificates of Occupancy for the Property, the Legally Mandated Stay of "All Proceedings in Furtherance of the Action Appealed From" Covers Those Certificates of Occupancy—and State Law as well as Aurora's Local Rule Automatically Mandated that Their Issuance be Stayed.**

The City's Response to our Motion for Stay, etc., has improperly confused jurisdictional arguments about appealing a Building Official's decision with the automatic stay imposed alike by Illinois state statute and ZBA Rule. The automatic stay requirement is explicitly broad, encompassing "*all proceedings* in furtherance of the action appealed from." The automatic stay imposed by law does not allow some proceedings in furtherance of properly appealed zoning decisions but disallow others. The ZBA Rule and the Illinois state statute require that *all proceedings* cease during the

time the ZBA considers and adjudicates an appeal that charges that zoning violations have occurred and are ongoing. (ZBA Rules and Regulations, pg 5; 65 ILCS 5/11-13-12)

Apparently, instead of filling out a COMR Permit Application for Certificates of Occupancy—which would have been required of any other tenant in Aurora—Planned Parenthood applied for Certificates by a demand letter and threat of litigation. (Exhibit P, Letters Exchanged Between Planned Parenthood and City of Aurora) Even so, as noted above, the zoning determinations and decisions made by the City on October 1, 2007, were indispensably required prior to issuing Certificates of Occupancy for the property. They were not merely superfluous or extraneous but rather constituted a vital and legally-required part of the permit appeal process for the subject property. Therefore, no additional Certificates of Occupancy for the property could be issued after the filing of the appeal in this matter. The Certificate of Occupancy issued on or about December 14, 2007, was in clear violation of the automatic stay of "all proceedings in furtherance of the action appealed from" as imposed by the ZBA Rule and the applicable Illinois state statute. (ZBA Rules and Regulations, pg 5; 65 ILCS 5/11-13-12)

Even apart from the automatic stay imposed generally by state law and ZBA Rule, a stay is especially proper and legally required in this specific case. The very basis upon which these Appellants are charging that Zoning irregularities occurred in this case has been openly acknowledged by the City in its both its original and its amended Motion to Dismiss. (Motion to Dismiss, pg 2, Bates 6; Amended Motion to Dismiss, pg 2, Bates 822) According to the zoning ordinance identified by the City, the Planned Parenthood charitable, non-pecuniary and tax-exempt land use is being carried on in a B-B or "Business Boulevard" zoning district that does not permit such a land use. Moreover, other numerous zoning violations taint the subject property. (Ordinance O93-124, pg 5, 8, 12, Bates 357, 360, 367) And yet, Aurora's AZO prohibits erection and occupancy of buildings and issuance of permits and certificates *by any City department* for properties that violate the Zoning Ordinance. (AZO 3.2-5.1, 3.2-6.1, 10.2-1, 14.1-2) The ZBA has the authority and the duty to enforce the stay against "all proceedings," as imposed by law and demanded by the facts of this case.

WHEREFORE, these Appellant Objectors respectfully request that this Board grant them the requested relief, namely, that it (a) declare the Temporary Certificate of Occupancy purportedly issued October 1, 2007, and expiring July 1, 2008, to be invalid, null and void under the Aurora Zoning Ordinance and ZBA Rules and Regulations, as well as other provisions of Illinois law; (b) order the City of Aurora to cease and desist from issuing any further Certificates of Occupancy, whether temporary or permanent, until the ZBA has fully adjudicated the issues presented upon this appeal; and (c) grant Appellants all other relief which may be warranted upon these premises in accordance with the law.

On behalf of the Appellants,

/s/Peter Breen

Of Counsel  
Peter Breen, 630-544-4455  
Thomas Brejcha, 312-590-3408  
Thomas More Society,  
A public interest law firm  
29 So. LaSalle St, Ste 440  
Chicago, IL 60603  
January 7, 2008

001761



# EXHIBIT A

001762



Address \_\_\_\_\_ Application # \_\_\_\_\_

**CONTRACTOR REGISTRATION INFORMATION**

**GENERAL CONTRACTOR** (Check primary contact) ☐  
 CITY OF AURORA  
 G.C. REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**ELECTRICAL CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 ELECT. REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**PLUMBING CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 PLUMBING REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**CERTIFICATION**

This is an application only. Completion of this application does NOT entitle the commencement of construction. I, (the applicant) agree to conform to all applicable laws of the City of Aurora. I also agree that all work performed will be in accordance with the plans and specifications as set forth in the approved permit. I understand that the approval of this application and issuance of a permit does not obviate the need to comply with all applicable laws and ordinances. I agree to hold harmless and indemnify the City of Aurora for any claim against the City as the result of any act of commission or omission by or on behalf of the undersigned, his/her agent, principle, contractor, subcontractor or supplier. I the undersigned am the Owner or a duly contracted representative of the owner of said property.

**CONTRACTOR** \_\_\_\_\_ (PRINT)

**CONTRACTOR** \_\_\_\_\_ (SIGNATURE)

OR

**OWNER** \_\_\_\_\_ (PRINT)

**OWNER** \_\_\_\_\_ (SIGNATURE)

**MECHANICAL CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 HVAC REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**NOTE:** FIRE SPRINKLER, FIRE ALARM AND SIGNAGE WORK; MUST ALL BE PERMITTED **SEPARATELY**.  
 MASS GRADING AND WORK IN THE PUBLIC RIGHT OF WAY MUST BE PERMITTED **SEPARATELY**.

Address \_\_\_\_\_ Application # \_\_\_\_\_

**BUILDING INFORMATION****CONSTRUCTION TYPE**CIRCLE ONE  
EXISTING 1 2 3 4 5 A B

NEW 1 2 3 4 5 A B

Sprinklers ☐ none ☐ limited  
☐ completeFire Alarm ☐ no ☐ yesUnlimited Area ☐ no ☐ yes

Occupants per s.f. \_\_\_\_\_

Occupancy load \_\_\_\_\_

ALLOWABLE TABULAR AREA (503)	_____ s.f.	100 %
INCREASE FOR FRONTAGE (506.2) +	_____ s.f. +	_____ %
INCREASE FOR SPRINKLERS (506.3) +	_____ s.f. +	_____ %
TOTAL ALLOWABLE AREA PER FLOOR	_____ s.f.	_____ %
ACTUAL MAX. TOTAL AREA PER FLOOR	_____ s.f.	

**TOTAL ALLOWABLE AREA ALL STORIES**

[allowable s.f. / flr.] x [# stories (3max)] = \_\_\_\_\_ s.f.

**ACTUAL AREA ALL STORIES**

\_\_\_\_\_ s.f.

ACTUAL BUILDING HEIGHT \_\_\_\_\_ FT

ALLOWABLE HEIGHT \_\_\_\_\_ FT

ACTUAL NUMBER OF STORIES \_\_\_\_\_

ALLOWABLE # OF STORIES \_\_\_\_\_

**BUILDING AREA**

[FOR NEW AREA - PERMIT FEES ARE A FUNCTION OF SQUARE FOOTAGE]

SF PRINCIPAL \_\_\_\_\_ SF

SF MEZZANINE \_\_\_\_\_ SF

SF BASEMENT / CRAWL \_\_\_\_\_ SF

TOTAL \_\_\_\_\_ SF

**ELECTRICAL INFORMATION**ELECTRICAL WORK? ☐ NO ☐ YES

ELECTRIC SERVICE SIZE \_\_\_\_\_ AMPS

# OF SETS OF SERVICE CONDUCTORS \_\_\_\_\_

SIZES OF SERVICE CONDUCTORS \_\_\_\_\_

# OF ELECTRIC METERS \_\_\_\_\_ SERVICE VOLTAGE \_\_\_\_\_

FIRE PUMP SIZE \_\_\_\_\_ FIRE PUMP VOLTAGE \_\_\_\_\_

**PLUMBING INFORMATION**PLUMBING WORK? ☐ NO ☐ YES

DOMESTIC WATER SERVICE SIZE \_\_\_\_\_ "φ

OCCUPANT LOAD PER ILLINOIS PLUMB'G CODE \_\_\_\_\_

PLUMBING FIXTURE UNITS \_\_\_\_\_

TYPE OF BACKFLOW PROTECTION DEVICE \_\_\_\_\_

Fox Metro W.R.D. needs a submittal

**BUILDING COST**

TOTAL \$ \_\_\_\_\_

**MECHANICAL INFORMATION**MECHANICAL WORK? ☐ NO ☐ YESTYPE HVAC ☐ RTU ☐ SPLIT SYST ☐ UNIT HTRS# BTU'S \_\_\_\_\_ ☐ A/C ☐ BOILER ☐ EXHAUSTKITCHEN HOOD ☐ NO ☐ YES EXHAUST HOOD ☐ NO ☐ YES**FIRE PREVENTION INFORMATION**SUPPRESSION SYST. WORK? ☐ NO ☐ YES

FIRE WATER SERVICE SIZE \_\_\_\_\_ "φ

TYPE OF BACKFLOW PROTECTION DEVICE \_\_\_\_\_

FIRE PUMP? ☐ NO ☐ YESSTANDPIPES? ☐ NO ☐ YESExhaust HOOD SUPPRESSION? ☐ NO ☐ YESFIRE ALARM SYST. WORK? ☐ NO ☐ YES**DETAILED WRITTEN DESCRIPTION OF CONSTRUCTION WORK****DESIGN PROFESSIONALS IN RESPONSIBLE CHARGE -- PER IBC 106****LICENSED ARCHITECT / STRUCTURAL ENGINEER**

ILLINOIS PROFESSIONAL (Check primary contact) θ

DESIGN FIRM REG. # \_\_\_\_\_

**CIVIL ENGINEER / PROFESSIONAL ENGINEER**

(Check if primary contact) θ

BUSINESS NAME \_\_\_\_\_

CONTACT NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_

FAX ( ) \_\_\_\_\_ - \_\_\_\_\_

E-MAIL \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_

CONTACT NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_

FAX ( ) \_\_\_\_\_ - \_\_\_\_\_

E-MAIL \_\_\_\_\_

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, COMPLY WITH ALL CODES.

ARCH or STRUCT or (P.E. for Mech. Elect. Plumb.)

(SIGNATURE) \_\_\_\_\_

This sheet is for information only and need not be attached to the permit application submittal.

## APPLICATION REQUIREMENTS FOR NEW COMMERCIAL CONSTRUCTION

Applicable Building codes are as follows (City of Aurora – Building Code and Electrical Code Amendments also apply):

### 2000 INTERNATIONAL BUILDING CODE and the following:

2000 International Fire Code	2000 International Plumbing Code	Illinois State Plumbing Code
2000 International Mechanical Code	1999 National Electric Code	Illinois Accessibility Code

The following items shall constitute a **complete building permit submittal**. Upon submittal acceptance, a permit application number shall be issued to the applicant all future contact with the Building and Permits Division will require this number. At time of submittal, one project contact, shall be identified by the applicant (please check the appropriate party as the "primary contact" on the application form). All correspondence between City of Aurora Division of Building and Permits and the applicant will be directed to this individual.

### SUBMITTALS TO THE BUILDING AND PERMITS DIVISION ARE INDICATED BELOW. COLLATE YOUR SUBMITTAL INTO THREE SETS (B,C & D).

- A. Completed Permit application.
- B. Three (3) copies of architectural site plan or civil engineering drawings indicating: all lot lines, building setbacks, existing structures, parking layout, curb cuts, light pole details, grading plan, utility plans and all fire hydrants within 500' of any property line. (For Zoning, Fire Prevention, and accessibility reviews). Include a Plat of survey and legal description on all parcels, which have not been issued street addresses.
- C. Provide six (6) sets of Illinois Licensed Architect or Illinois Licensed Structural Engineer signed and wet sealed construction documents. Provide two (2) sets of Soils testing results. All seals shall be on the cover sheet with an index of the sheets the stamps apply to.
  1. Building Code Information on the cover sheet must contain the following:
    - a. Use Group (Single / Mixed).
    - b. Construction type(s).
    - c. Square footage (Act. / Allow.)
    - d. IBC Occupant Load calculations.
    - e. Design live and dead loads.
    - f. Illinois Plumbing Occ. Load calc.
  2. Floor plans indicating the following: Layout of the entire floor plan, indicate all construction materials and all rated assemblies. Indicate all requirements for compliance with the Illinois Accessibility Code.
  3. Building sections and wall sections as required, to describe the construction and all rated assemblies.
  4. Building Elevations, including all exterior openings, roof heights and footing depths.
  5. Structural plans and sections. All pre-Engineered building drawings are to be submitted at the time of application.
  6. Complete Plumbing plan with sanitary and supply riser diagrams indicating all required components and sizes.
  7. Complete HVAC plans with sized ducts indicating CFM and neck sizes at diffusers. Provide schedules / specifications for all pieces of equipment.
  8. Complete Electrical plans with balanced panel schedules, load calculations, and one-line service diagrams indicating all components and sizes.
  9. Provide detailed cut sheets for all fire stopping materials / assemblies and methods through fire separation assemblies.

### SUBMITTALS INDEPENDENT OF THE BUILDING AND PERMITS DIVISION ARE INDICATED BELOW (WITH A ☐ - CHECK BOX)

- ☒ Submit two (2) complete sets of civil engineering drawings to the City of Aurora Engineering Department, 44 E. Downer Place. Attention Pete Haurykiewicz, (630)-844-3620. No building permits will be issued without City of Aurora Engineering Department approval and Engineering Department issued street address.
  - ☒ Submit one signed and sealed set of construction documents indicating all plumbing connections (new, existing, and demolished) separately to Fox Metro Water Reclamation District. Engineering (630) 301-6882. After obtaining the 'YELLOW CARD' receipt. Return this to the City of Aurora Building and Permits for attachment to permit application. Incorporate engineering pre-review checklist found on Fox Metro Water Reclamation District website @ [www.foxmetro.dst.il.us](http://www.foxmetro.dst.il.us)
  - ☐ If in a PPD (Planned Development District). Submit two (2) copies of City of Aurora approved, final plan documents and landscape plans. In addition submit a signed landscape contract and a letter of credit covering all required landscape improvements. Call Ed Sieben Land Use and Zoning (630) 844-3614
  - ☐ For DuPage County obtain and provide a Roadway Impact Fee receipt for attachment to the permit. Contact the Impact Fee Office in the Department of Economic Planning and Development at (630) 407-6700 (M-F 8-4:30) or on-line at [www.dupageco.org/building](http://www.dupageco.org/building)
  - ☐ Any development requiring access to or installation of utilities within a DuPage County roadway or path right-of-way, contact the Highway Permitting Office in the Department of Economic Planning and Development at (630) 407-6700 (M-F 8-4:30) or on-line at [www.dupageco.org/building](http://www.dupageco.org/building)
- Submit to applicable county's health department for all food service and retail food store facilities.  
 Kane County - (630) 208-3801 Rehma Jonnson (west side), Nereida Ortis (east side), Vic Mead (north east side)  
 DuPage County - (630) 682-7979 x 7110 Sara Burton-Zick/ Maria Hayes or [www.dupagehealth.org](http://www.dupagehealth.org)

**Note: All Signage requires separate permitting through the Building and Permits Division.**

**All mass grading and work in Public Right of Way requires separate permitting through City of Aurora Engineering.**

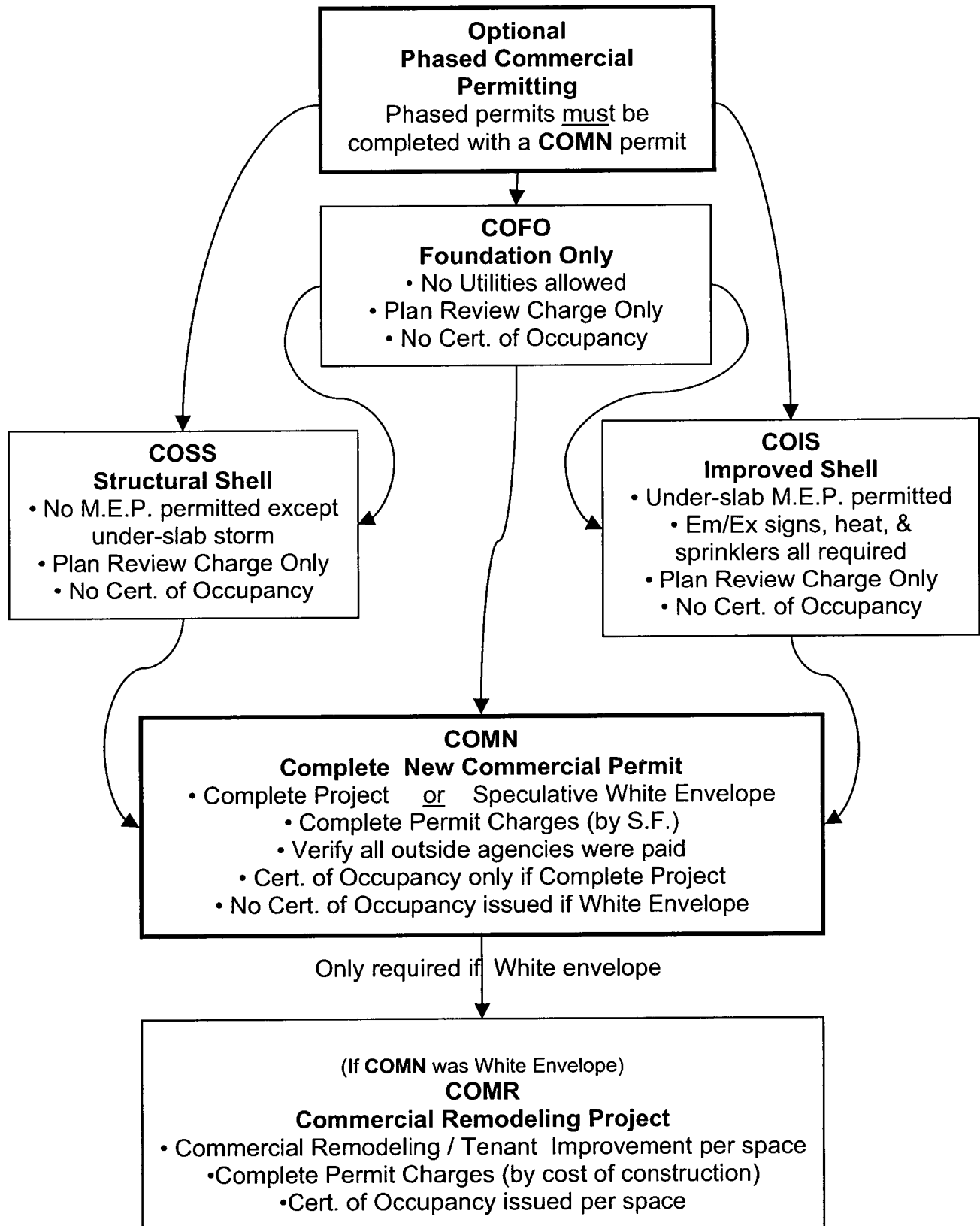


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**Fire Alarm and Fire Suppression (sprinkler) systems require separate permits.**

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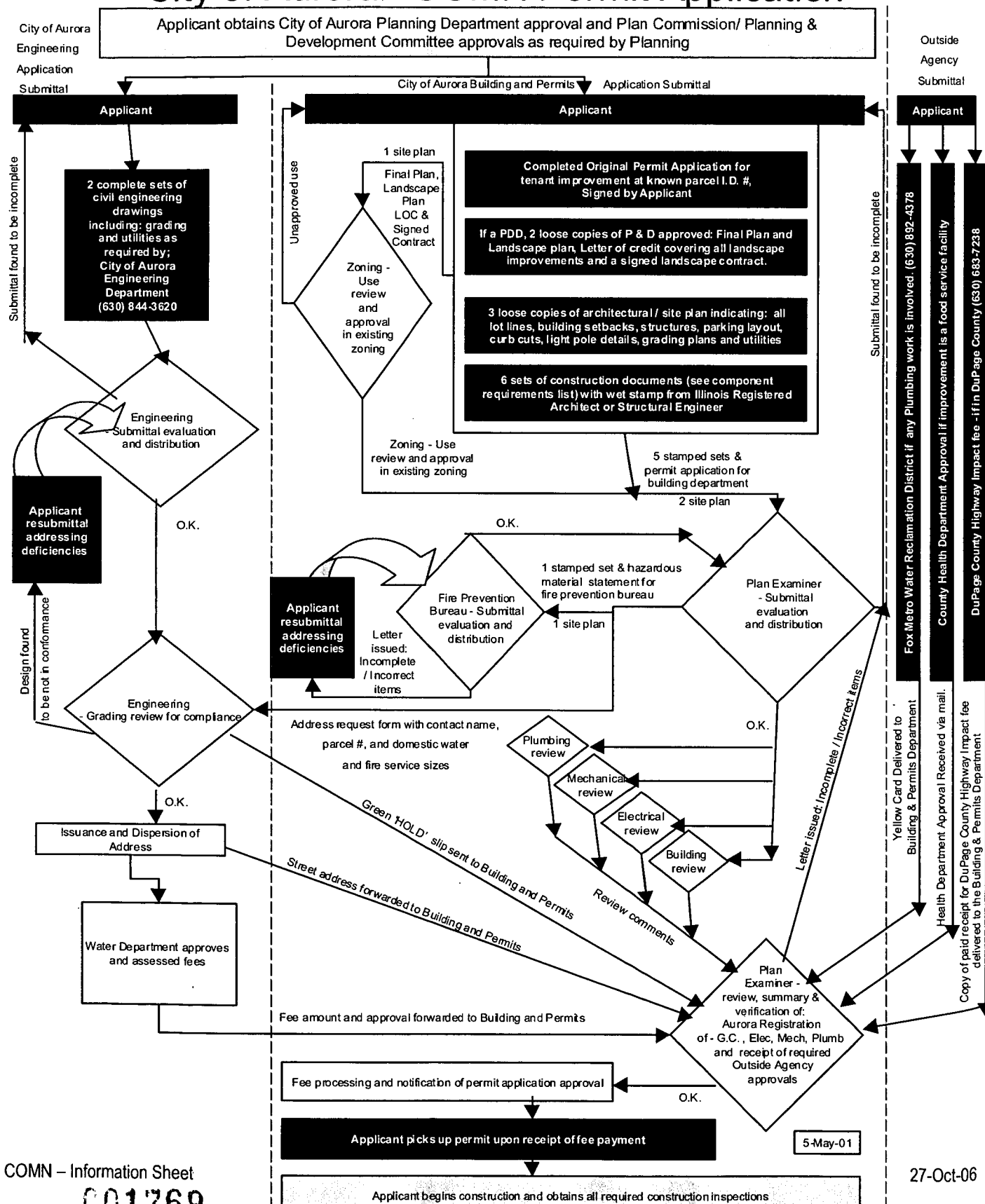
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# Commercial New Construction

## City of Aurora - COMN Permit Application



# EXHIBIT B

001770

# **COMR – COMMERCIAL REMODELING CONSTRUCTION - APPLICATION FORM OR TENANT IMPROVEMENT**

<b>FOR OFFICIAL USE ONLY</b>  PERMIT APPLICATION NO. <div style="font-size: 2em; margin-left: 10px;">0</div> <hr/> SUBMITTED <div style="margin-left: 10px;">/ /</div> <hr/> NOTIFIED <div style="margin-left: 10px;">/ /</div> <hr/> ZONING <hr/>	<b>TOTAL FEE</b>  BLDG _____ PLRV _____ C.O. _____ F.I.F. _____ WTR _____  WEB <a href="http://www.AURORA-il.org">www.AURORA-il.org</a> FAX (630) 892-8112 TELEPHONE (630) 892-8088	 <p><b>AURORA</b> The City of Lights</p> <p><b>DIVISION OF BUILDING &amp; PERMITS</b> 65 WATER STREET AURORA, ILLINOIS 60505</p>
--	---	--

## **LAND / PARCEL INFORMATION**

**PROPERTY ADDRESS** \_\_\_\_\_

**SUBDIVISION** \_\_\_\_\_

**UNIT / PHASE #** \_\_\_\_\_

**LOT #** \_\_\_\_\_

<b>COUNTY</b> <input type="checkbox"/> KANE <input type="checkbox"/> DuPAGE <small>(CHECK ONE)</small> <input type="checkbox"/> KENDALL <input type="checkbox"/> WILL	<b>TOWNSHIP</b> 11 12 04 <small>(CIRCLE ONE)</small> 14 15 07	<b>TOWNSHIP SECTION #</b> _____	<b>BLOCK #</b> (if known) _____	<b>LOT#</b> (if known) _____
--	--	---------------------------------	---------------------------------	------------------------------

(Call tax assessor's office with questions) 03 01

**PROPERTY OWNER &**

**Contact Name** \_\_\_\_\_

**OWNERS ADDRESS** \_\_\_\_\_

**PHONE #** ( ) \_\_\_\_\_

**FAX #** ( ) \_\_\_\_\_

**E-MAIL** \_\_\_\_\_

**TENANT &**

**Contact Name** \_\_\_\_\_

**ADDRESS** \_\_\_\_\_

**PHONE #** ( ) \_\_\_\_\_

**FAX #** ( ) \_\_\_\_\_

**E-MAIL** \_\_\_\_\_

## **ZONING INFORMATION**

**Zoning** (CHECK ONE) ☐ R-1 ☐ R-2 ☐ R-3 ☐ PDD  
**Classification** ☐ R-4 ☐ R-4A ☐ R-5 ☐ R-5A  
☐ B-1 ☐ B-2 ☐ B-3 ☐ B-B

☐ **SPECIAL USE**

(CHECK IF APPLICABLE)

☐ M-1 ☐ M-2

☐ O ☐ ORI

☐ RD ☐ PDD

☐ DC ☐ DF

C.O.A. Required

## **OCCUPANCY CLASSIFICATION**

**Existing Use / Occupancy** \_\_\_\_\_

**Proposed Use / Occupancy** \_\_\_\_\_

☐ Single Occupancy (302.1)

☐ Mixed Occupancy (302.3)

☐ w/ Incidental use (302.1.1)

☐ non-separated

☐ w/ Accessory use (302.2)

☐ separated attach sum of ratios  
< 10% of area & < allowable for Acc. calculation per section (504)

**Check all Occupancy Classifications that apply below.**

Assembly	<input type="checkbox"/> A-1	<input type="checkbox"/> A-2	<input type="checkbox"/> A-3	<input type="checkbox"/> A-4	<input type="checkbox"/> A-5
Business, Education, Factory	<input type="checkbox"/> B	<input type="checkbox"/> E		<input type="checkbox"/> F-1	<input type="checkbox"/> F-2
Hazardous	<input type="checkbox"/> H-1	<input type="checkbox"/> H-2	<input type="checkbox"/> H-3	<input type="checkbox"/> H-4	<input type="checkbox"/> H-5
Institutional	<input type="checkbox"/> I-1	<input type="checkbox"/> I-2	<input type="checkbox"/> I-3	<input type="checkbox"/> I-4	<input type="checkbox"/> I-5
Mercantile, Residential	<input type="checkbox"/> M		<input type="checkbox"/> R-1	<input type="checkbox"/> R-2	
Storage, Utility	<input type="checkbox"/> S-1	<input type="checkbox"/> S-2	<input type="checkbox"/> U		

## **FLOOD ZONE INFORMATION**

**IS YOUR PROPERTY IN A FLOOD PRONE AREA?**

☐ No ☐ Yes Verify with COA Engineering (630) 844-3620

## **SPECIFIC WRITTEN DESCRIPTION OF PROPOSED WORK**

**TOTAL COST OF IMPROVEMENTS \$** \_\_\_\_\_



Address \_\_\_\_\_ Application # \_\_\_\_\_

**CONTRACTOR REGISTRATION INFORMATION**

**GENERAL CONTRACTOR** (Check primary contact) ☐  
 CITY OF AURORA  
 G.C. REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**ELECTRICAL CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 ELECT. REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**PLUMBING CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 PLUMBING REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**CERTIFICATION**

This is an application only. Completion of this application does NOT entitle the commencement of construction. I, (the applicant) agree to conform to all applicable laws of the City of Aurora. I also agree that all work performed will be in accordance with the plans and specifications as set forth in the approved permit. I understand that the approval of this application and issuance of a permit does not obviate the need to comply with all applicable laws and ordinances. I agree to hold harmless and indemnify the City of Aurora for any claim against the City as the result of any act of commission or omission by or on behalf of the undersigned, his/her agent, principle, contractor, subcontractor or supplier. I the undersigned am the Owner or a duly contracted representative of the owner of said property.

**CONTRACTOR** \_\_\_\_\_  
 (PRINT)

**CONTRACTOR** \_\_\_\_\_  
 (SIGNATURE)

OR

**OWNER** \_\_\_\_\_  
 (PRINT)

**OWNER** \_\_\_\_\_  
 (SIGNATURE)

**MECHANICAL CONTRACTOR** (primary contact) ☐  
 CITY OF AURORA  
 HVAC REGISTRATION # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 N/A ☐ PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

**NOTE:** FIRE SPRINKLER, FIRE ALARM AND SIGNAGE WORK; MUST ALL BE PERMITTED **SEPARATELY**.  
 MASS GRADING AND WORK IN THE PUBLIC RIGHT OF WAY MUST BE PERMITTED **SEPARATELY**.

Address \_\_\_\_\_ Application # \_\_\_\_\_

**BUILDING INFORMATION**

<b>CONSTRUCTION TYPE</b>		<b>ALLOWABLE TABULAR AREA (503)</b>		s.f.	100 %
<b>EXISTING</b>	CIRCLE ONE 1 2 3 4 5	<b>INCREASE FOR FRONTAGE (506.2)</b>	+	s.f.	+
<b>NEW</b>	CIRCLE ONE 1 2 3 4 5	<b>INCREASE FOR SPRINKLERS (506.3)</b>	+	s.f.	+
Sprinklers <input type="radio"/> none <input type="radio"/> limited		<b>TOTAL ALLOWABLE AREA PER FLOOR</b>		s.f.	%
<input type="radio"/> complete		<b>ACTUAL MAX. TOTAL AREA PER FLOOR</b>		s.f.	
Fire Alarm <input type="radio"/> no <input type="radio"/> yes		<b>TOTAL ALLOWABLE AREA ALL STORIES</b>		<b>ACTUAL AREA ALL STORIES</b>	
Unlimited Area <input type="radio"/> no <input type="radio"/> yes		[allowable s.f. / flr.] x [# stories (3max)] =		s.f.	s.f.
Occupants per s.f. _____		<b>ACTUAL BUILDING HEIGHT</b>		<b>ALLOWABLE HEIGHT</b>	
Occupancy load _____		_____ FT		_____ FT	
		<b>ACTUAL NUMBER OF STORIES</b>		<b>ALLOWABLE # OF STORIES</b>	

**BUILDING AREA**

SF PRINCIPAL \_\_\_\_\_ SF  
 SF REMODELED \_\_\_\_\_ SF  
**TOTAL** \_\_\_\_\_ SF

**ELECTRICAL INFORMATION**

**ELECTRICAL WORK?** ☐ NO ☐ YES  
 ELECTRIC SERVICE SIZE \_\_\_\_\_ AMPS ☐ EXIST ☐ NEW  
 # OF SETS OF SERVICE CONDUCTORS \_\_\_\_\_  
 SIZES OF SERVICE CONDUCTORS \_\_\_\_\_  
 # OF ELECTRIC METERS \_\_\_\_\_ SERVICE VOLTAGE \_\_\_\_\_  
 FIRE PUMP SIZE \_\_\_\_\_ FIRE PUMP VOLTAGE \_\_\_\_\_

**PLUMBING INFORMATION**

**PLUMBING WORK?** ☐ NO ☐ YES  
 DOMESTIC WATER SERVICE ☐ EXIST ☐ NEW  
 DOMESTIC WATER SERVICE SIZE \_\_\_\_\_ " φ  
 OCCUPANT LOAD PER ILLINOIS PLUMB'G CODE \_\_\_\_\_  
 PLUMBING FIXTURE UNITS \_\_\_\_\_  
 TYPE OF BACKFLOW PROTECTION DEVICE \_\_\_\_\_  
 If adding new fixtures -- Fox Metro W.R.D. needs a submittal

**BUILDING COST**

[FOR REMODEL - PERMIT FEES ARE A FUNCTION OF CONSTRUCTION \$]

**REMODELING PROJECT**

TOTAL COST \$ \_\_\_\_\_

**MECHANICAL INFORMATION**

**MECHANICAL WORK?** ☐ NO ☐ YES  
 MECHANICAL DUCT WORK ☐ EXIST ☐ NEW  
 TYPE HVAC ☐ RTU ☐ SPLIT SYST ☐ UNIT HTRS  
 # BTU'S \_\_\_\_\_ ☐ A/C ☐ BOILER ☐ EXHAUST  
 KITCHEN HOOD ☐ NO ☐ YES EXHAUST HOOD ☐ NO ☐ YES

**FIRE PREVENTION INFORMATION**

**SUPPRESSION SYST. WORK?** ☐ NO ☐ YES  
 FIRE - WATER SERVICE ☐ EXIST ☐ NEW  
 FIRE WATER SERVICE SIZE \_\_\_\_\_ " φ  
 TYPE OF BACKFLOW PROTECTION DEVICE \_\_\_\_\_  
 FIRE PUMP? ☐ NO ☐ YES  
 STANDPIPES? ☐ NO ☐ YES  
 Exhaust HOOD SUPPRESSION ? ☐ NO ☐ YES  
 FIRE ALARM SYST. WORK ? ☐ NO ☐ YES

**DESIGN PROFESSIONALS IN CHARGE -- IBC 106****LICENSED ARCHITECT / STRUCTURAL ENGINEER**

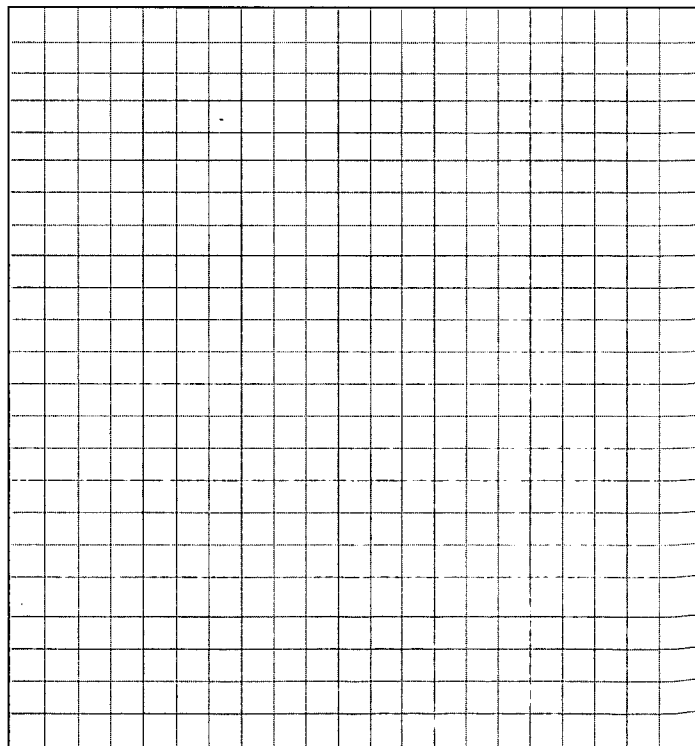
ILLINOIS PROFESSIONAL (Check primary contact) θ

DESIGN FIRM REG. # \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_  
 CONTACT NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY, STATE, ZIP \_\_\_\_\_  
 PHONE ( ) \_\_\_\_\_ - \_\_\_\_\_  
 FAX ( ) \_\_\_\_\_ - \_\_\_\_\_  
 E-MAIL \_\_\_\_\_

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED  
 BY ME OR UNDER MY SUPERVISION, AND TO THE BEST  
 OF MY KNOWLEDGE, COMPLY WITH ALL CODES.

(SIGNATURE) \_\_\_\_\_

**ARCH** or **STRUCT** or (**P.E.** for Mech. Elect. Plumb.)**KEY PLAN - LOCATION WITHIN OVERALL BUILDING**

This sheet is for information only and need not be attached to the permit application submittal.

## APPLICATION REQUIREMENTS FOR NEW COMMERCIAL REMODELING

Applicable Building codes are as follows (City of Aurora – Building Code and Electrical Code Amendments also apply):

### 2000 INTERNATIONAL BUILDING CODE and the following:

2000 International Fire Code	2000 International Plumbing Code	Illinois State Plumbing Code
2000 International Mechanical Code	1999 National Electric Code	Illinois Accessibility Code

The following items shall constitute a **complete building permit submittal**. Upon submittal acceptance, a permit application number shall be issued to the applicant all future contact with the Building and Permits Division will require this number. At time of submittal, one project contact, shall be identified by the applicant (please check the appropriate party as the "primary contact" on the application form). All correspondence between City of Aurora Division of Building and Permits and the applicant will be directed to this individual.

### SUBMITTALS TO THE BUILDING & PERMITS ARE INDICATED BELOW. COLLATE YOUR SUBMITTAL INTO 2 SETS (B& C).

- A. Completed Permit application.
- B. If a change in use, or if building accessibility is required by the Illinois Accessibility Code;
1. Provide three (3) copies of architectural site plan or civil engineering drawings indicating: all lot lines, building setbacks, existing structures, parking layout (including handicapped parking), curb cuts, and all fire hydrants within 500' of any property line. (For Zoning, Fire Prevention, and accessibility reviews).
- C. Provide six (6) sets of Illinois Licensed Architect or Illinois Licensed Structural Engineer signed and wet sealed construction documents. Provide two (2) sets of specifications and two (2) sets of structural calculations. All seals shall be on the cover sheet with an index of the sheets the stamps apply to.
1. Building Code Information on the cover sheet must contain the following:
    - a. Use Group (Single / Mixed).
    - b. Construction type(s).
    - c. Square footage (Act. / Allow.)
    - d. IBC Occupant Load calculations.
    - e. Design live and dead loads.
    - f. Illinois Plumbing Occ. Load calc.
  2. Floor plans indicating the following: Layout of the entire floor plan, indicate all construction materials and all rated assemblies. Indicate all requirements for compliance with the Illinois Accessibility Code.
  3. Building sections and wall sections as required, to describe the construction and all rated assemblies.
  4. Building Elevations, including all exterior openings, roof heights and footing depths.
  5. Structural plans and sections.
  6. Complete Plumbing plan with sanitary and supply riser diagrams indicating all required components and sizes.
  7. Complete HVAC plans with sized ducts indicating CFM and neck sizes at diffusers. Provide schedules / specifications for all pieces of equipment.
  8. Complete Electrical plans with balanced panel schedules, load calculations, and one-line service diagrams indicating all components and sizes.

### SUBMITTALS INDEPENDENT OF THE BUILDING AND PERMITS DIVISION ARE INDICATED BELOW (WITH A ☐ - CHECK BOX)

- ☒ Submit one signed and sealed set of construction documents indicating all plumbing connections (new, existing, and demolished) separately to Fox Metro Water Reclamation District. Attention Engineering (630) 301-6882. After obtaining the 'YELLOW CARD' receipt. Return this to the City of Aurora Building and Permits for attachment to permit application. **All "shell" build-outs will require a fox metro water reclamation district yellow card.**
- ☐ The following uses will be required to submit application and receive approval for the following which include, but are not limited to: hotels, restaurants, bars, grocery stores, bakeries, catering/banquet facilities, liquor stores, convenience stores/food marts, amusement/arcades, pool halls, Laundromats. Also every retailer engaged in the sale of any prepared food or drink (except those packaged in a hermetically sealed container), or engaged in the sale of any liquor, packaged or served, is required to register as a food & beverage tax collector. Please contact Division of Revenue & Collections at (630) 844-3641 for more information, or visit [www.aurora-il.org](http://www.aurora-il.org) and click on Finance/Revenue & Collection/Business Licenses for application.
- ☐ For DuPage County obtain and provide a Roadway Impact Fee receipt for attachment to the permit. Contact the Impact Fee Office in the Department of Economic Planning and Development at (630) 407-6700 (M-F 8-4:30) or on-line at [www.dupageco.org/building](http://www.dupageco.org/building)
- ☐ For Kane County obtain and provide a Roadway Impact Fee receipt for attachment to the permit. Contact the Impact Fee Office at (630) 584-1171;
- ☐ Any development requiring access to or installation of utilities within a DuPage County roadway or path right-of-way, contact the Highway Permitting Office in the Department of Economic Planning and Development at (630) 407-6700 (M-F 8-4:30) or on-line at [www.dupageco.org/building](http://www.dupageco.org/building)
- ☐ Submit to applicable county's health department for all food service and retail food store facilities.
- Kane County - (630) 208-3801 Rehma Jonnson (west side), Nereida Ortis (east side), Vic Mead (north east side)  
DuPage County - (630) 682-7979 x 7110 Sara Burton-Zick/ Maria Hayes or [www.dupagehealth.org](http://www.dupagehealth.org)

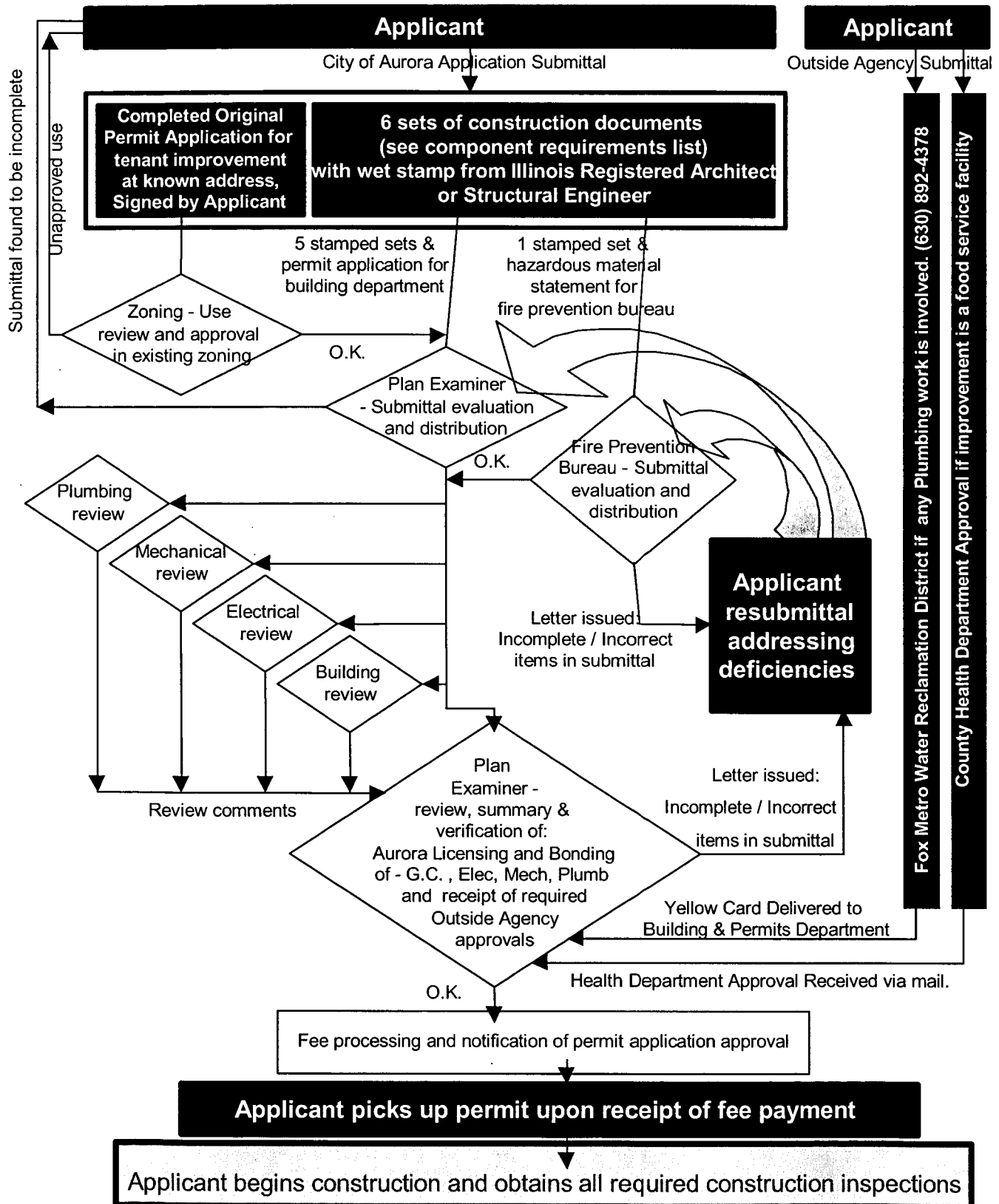
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**Fire Alarm and Fire Suppression (sprinkler) systems require separate permits.**

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## City of Aurora - COMR

### Commercial Remodel / Tenant Improvement Permit Application



# EXHIBIT C

001776





# City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

## BUILDING PERMIT

Application Number . . . . . 06-00003529 Date 1/12/07  
 Application pin number . . . . . 642421  
 Revision number . . . . . 6  
 Property Address . . . . . 240 N OAKHURST DR  
 Parcel Number: . . . . . 07-20-302-081  
 Lot #:  
 Tenant nbr, name . . . . . GEMINI OFFICE  
 Application type description . . . . . COM - BUSINESS OFFICES  
 Subdivision Name . . . . .  
 Property Use . . . . .  
 Property Zoning . . . . . PLANNED DEVELOP DIST  
 Application valuation . . . . . 4000000

Application description  
 MEDICAL OFFICE BUILDING

Owner	Contractor
GEMINI OFFICE DEVELOPMENT	KRAHL CONSTRUCTION
ONE SOUTH WACHER DR #800	322 S GREEN ST
CHICAGO IL 60606	CHICAGO IL 60607
(630) 963-8184	(312) 264-8980
Structure Information 000 000	
Construction Type . . . . .	NONCOMBUSTIBLE 1 HOUR
Occupancy Type . . . . .	BUSINESS OFFICE
Flood Zone . . . . .	PLS. VERIFY W/ FEMA MAP
Other struct info . . . . .	FIRE ALARM SYSTEM Y
	FIRE SUPPRESSION Y/N Y
	FIRE SERVICE SIZE 4.00
	PROPOSED USE OFFICEBUILDING
	PROPOSED # DWELL UNITS 1.00
	SQ FOOT BASEMENT/CRAWL 1.00
	SQ FOOT PRINCIPAL 21777.00
	WATER SERVICE SIZE 3.00

Permit . . . . . COMMERCIAL NEW CONSTRUCTION  
 Additional desc . . . . .  
 Permit Fee . . . . . 506.00 Plan Check Fee . . . . . 51.00  
 Issue Date . . . . . 1/12/07 Valuation . . . . . 4000000  
 Expiration Date . . . . . 7/11/07

Qty	Unit	Charge	Per	Extension
22.00	23.0000	SQF	COMM ABOVE GRND 100 SQ FT	506.00

### Special Notes and Comments

Envelope permit.  
 PROVIDE EXIT SIGNS IN COMPLIANCE WITH IBC SECTION 1003.2.10  
 AND AS OTHERWISE MAY BE REQUIRED PER FIELD INSPECTION.  
 PROVIDE EMERGENCY LIGHTS IN COMPLIANCE WITH IBC SECTION  
 1003.2.11 AND NEC ARTICLE 700-16 AND AS OTHERWISE MAY BE  
 REQUIRED PER FIELD INSPECTION - NOTE THAT EXTERIOR EM.  
 LIGHTING REQUIRED AT EXIT DOORS PER IBC 1003.2.11.2.4.  
 BUILDING AND SITE SIGNS WILL REQUIRE SEPARATE PERMITS.  
 A SEPARATE PERMIT IS REQUIRED FOR THE INSTALLATION OR  
 RELOCATION OF FIRE SPRINKLERS.  
 NEW FIRE ALARM NOTIFICATION APPLIANCES WILL BE REQUIRED TO  
 BE INSTALLED TO MEET THE REQUIREMENTS OF THE ILLINOIS  
 ACCESSIBILITY CODE SECTION 400.310(s). A SEPARATE PERMIT  
 IS REQUIRED FOR THE INSTALLATION OR RELOCATION OF FIRE  
 ALARM DEVICES.  
 NO HVAC CHANGES UNDER THIS REVISION

Other Fees . . . . .	CERTIFICATE OF OCCUPANCY	70.00
	FIRE IMPACT KANE/DUPAGE	1088.00
	WATER TAP FEES	540.00
	A WATER CONNECTION FEE	8975.00
	A WATER METER & REMOTE	2220.00
	WATER SEWER CONNECT FEE	250.00

Call (630) 892-8088 before 4:30 p.m. to schedule inspections for the following workday.



# City of Aurora

Division of Building and Permits - 65 Water Street - Aurora, Illinois 60505-3305 - Phone: (630) 892-8088 - Fax: (630) 892-8112

## BUILDING PERMIT

Application Number . . . . . 06-00003529  
 Revision number . . . . . 6  
 Property Address . . . . . 240 N OAKHURST DR  
 Parcel Number: . . . . . 07-20-302-081  
 Lot #:  
 Tenant nbr, name . . . . . GEMINI OFFICE  
 Application description . . . . . COM - BUSINESS OFFICES  
 Subdivision Name . . . . .  
 Property Use . . . . .  
 Property Zoning . . . . . PLANNED DEVELOP DIST  
 Permit . . . . . COMMERCIAL NEW CONSTRUCTION  
 Additional desc . . . . .

Page 2  
 Date 1/12/07

### Required Inspections

Seq	Insp Code	Description	Initials	Date
10	FTN	CONCRETE FOOTING		/ /
10-20	BACK	CONC. BACKFILL / FOUNDATION		/ /
10-1000	GRD	ENG FINAL APPROVAL		/ /
10-1000	ETMP	ENGINEERING TEMP CO APRVL		/ /
10-1000	EBND	ENG BOND APPROVAL		/ /
10-20	PIER	INTERIOR PIER INSPECTION		/ /
20-50	ELES	ELECTRIC SERVICE		/ /
20-40	FUG	FIRE UNDERGROUND		/ /
20	PUG	PLUMBING UNDERGROUND		/ /
20-50	UTIL	UTILITY COMPANY NOTIFIED		/ /
30	EUG	ELECTRIC UNDERGROUND		/ /
40	ERGH	ELECTRIC ROUGH IN		/ /
40	FRUF	FIRE ROUGH		/ /
40	FRGH	FRAMING ROUGH IN		/ /
40-50	MRGH	MECHANICAL ROUGH IN		/ /
40	PRGH	PLUMBING ROUGH / ABOVE CEILING		/ /
50	FABC	FIRE ABOVE CEILING		/ /
50	EABC	ELECTRICAL ABOVE CEILING		/ /
50	MABC	MECHANICAL ABOVE CEILING		/ /
50	BABC	FRAMING ABOVE CEILING		/ /
50	FHYD	FIRE HYDRO		/ /
60	FTST	FIRE TEST		/ /
70	BFN	COMMERCIAL BUILDING FINAL		/ /
70	EFN	COMMERCIAL ELECTRIC FINAL		/ /
70	MFN	COMMERCIAL MECHANICAL FINAL		/ /
70	PFN	COMMERCIAL PLUMBING FINAL		/ /
70	FFN	FIRE FINAL		/ /
70-1000	ZN	ZONING FINAL RELEASE		/ /
70	PE	PLAN EXAMINER FINAL RELEASE		/ /

# EXHIBIT D

001779



# City of Aurora

9.7.06

Division of Building and Permits • 65 Water Street • Aurora, Illinois 60505-3305 • (630) 892-8088  
FAX (630) 892-8112

Daniel F. Seggebruch, AIA  
Plan Examiner

☐ Owner ☒ Tenant

☒ Architect / Engineer

☒ Contractor

GEMINI OFFICE DEVELOP.  
ATT: DAINIUS PETRONIS

JENSEN & HALSTEAD  
ATT: DAVID DASTUR

KRAHL CONSTRUCTION  
ATT: SCOTT MOUSEL

☒ Fax # (312) 634-5525

☒ Fax # (312) 664-7558

☒ Fax # (312) 707-6552

Dear Building Permit Applicant:

Attached please find a plan review corrections report for your application. The date of the corrections report is indicated in the upper left hand corner of the report. Your application number and job address is indicated within the first pair of dashed lines at the top of the page. All correspondence with the City should reference this application number. The subsequent pairs of dashed lines contain an agency name, date, action, and action by. The corrections / comments from that inspector / agency follow below the dashed lines.



This is a partial corrections report. Any of the following agencies / inspectors indicated as Pending Approval have not yet completed their reviews of your submittal. Completion of these reviews may add items to the next corrections report. Other agencies indicated as pending are outside submittals you must make independent of the submittal we are in receipt of.

- ☐ Zoning Administration
- ☐ Plan Examiner
- ☐ Building

- ☐ Plumbing
- ☐ Mechanical
- ☐ Electric

- ☐ Fire Prevention Bureau
- ☐ Engineering Address Issuance
- ☐ Water Administration



This is a complete initial review corrections report. These are the remaining items that need to be addressed. All of our agencies / inspectors have accomplished their initial review of your initial submittal.



This is a re-submittal corrections report. These are the remaining items that still need to be addressed. Any corrections report items that haven't changed from previous correction reports represent items, which have not been satisfactorily addressed to date.

When responding to the attached comments, please restate the comment and follow with your response. This will expedite your re-review. Any drawing revisions must be **CLOUDED & TAGGED** as a revision. Approximate re-review for drawings is five (5) working days. If you have questions about your submittal please feel free to call.

Respectfully,

*Daniel F. Seggebruch*

6

Pages follow

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\*\*\* MULTI TX/RX REPORT \*\*\*  
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JOB NO. 3383  
PGS. 7  
TX/RX INCOMPLETE -----  
TRANSACTION OK ( 1 ) 13126345525  
( 2 ) 13126647558  
( 3 ) 13127078552  
ERROR -----



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001781





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Respectfully,

Daniel F. Seggebruch  
Christy Scholtz

12/11/04

630-906-4550

9

Pages follow

\*\*\*\*\*  
 \*\*\* TX REPORT \*\*\*  
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## TRANSMISSION OK

JOB NO. 4386  
 DESTINATION ADDRESS 13126647558  
 PSWD/SUBADDRESS  
 DESTINATION ID  
 ST. TIME 12/11 14:06  
 USAGE T 01'40  
 PGS. 11  
 RESULT OK



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*Please note: requirements for Full Building*  
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001783

# EXHIBIT E

001784

## AURORA FIRE PREVENTION BUREAU

5 E. Downer Pl. Suite G

AURORA, IL 60505-3305

630-892-9001 FAX: 630-844-4720

<http://www.fpb@aurora-il.org/>

## FIRE ALARM USER REGISTRATION/EMERGENCY CONTACT

RESUBMIT Whenever the information below changes

NAME of BUSINESS	Aurora Health Center	PHONE 630-585-2508
ADDRESS / Zip Code	3051 EAST NEW YORK ST. AURORA, IL 60504	
Manager's E-Mail	advianneh@ppca.org	Fax Number 630-585-5588

BUSINESS OWNER NAME	Planned Parenthood Chicago Area	PHONE 312-592-6800
ADDRESS / Zip Code	18 S. MICHIGAN AVE. CHICAGO, IL 60603	
Loss Prevention Contact E-Mail	Elizabeth.S@ppca.com	PHONE 312-592-6814

BUILDING OWNER NAME	Planned Parenthood Chicago Area	PHONE 312-592-6800
ADDRESS / Zip Code	18 S. MICHIGAN AVE. CHICAGO, IL 60603	

Identify employees who can open the building in off-hours or secure it after an incident.  
When your alarm and/or sprinkler systems are out of service for more than 4 hours in a 24-hour period  
you must provide a fire watch\* or evacuate the building.

**\*IN THE EVENT YOU DO NOT SECURE A FIRE WATCH,  
IT WILL BE PROVIDED BY THE FIRE DEPARTMENT AT YOUR EXPENSE.**

EMPLOYEE NAME	POSITION/TITLE	CONTACT PHONE C=cell # and/or H=home #
1. ADRIANNE HARKLESS	Center Manager	H 724-866-7144
2. AMBER LINANER	Assistant Manager	C 630-618-8288
3. ANN LAVERT	Regional Director	C 708-201-0768
4. DANNIS REPNIVS	Director of Facilities	C 630-302-0630

ALARM COMPANY NAME	PHONE
Custom Security Electronics	630 543-4900
MONITORING STATION NAME	PHONE
Emergency 24 inc	773 271-0707

RECEIVED AUG 20 2007

-FIRE PREVENTION OFFICE USE ONLY-

Date received:

By

COA #

001785